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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

7

Application Number

09/642,492

Filing Date

August 18, 2000

First Named Inventor

Gary VAN NEST

Group Art Unit

1653

Examiner Name

To Be Assigned

Attorney Docket No.

377882000800

**ENCLOSURES (check all that apply)**☐ Fee Transmittal Form☐ Fee Attached☐ Amendment / Reply☐ After Final☐ Affidavits/declarations☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/  
Incomplete Application☐ Response to Missing Parts  
under 37 CFR 1.52 or 1.53☐ Assignment Papers  
(for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a  
Provisional Application☒ Power of Attorney, Revocation  
Change of Correspondence Address,  
2 pages☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ After Allowance Communication to  
Group☐ Appeal Communication to Board of  
Appeals and Interferences☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify  
below):

1. Communication, 2 pages
2. Certificate Under 37 C.F.R. 3.73(b),  
1 page
3. Copy of the Joint Assignment, 1 page
4. Return Receipt Postcard

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**Firm  
or

Individual Name

Morrison &amp; Foerster LLP, 755 Page Mill Road, Palo Alto, CA 94304-1018

Karen R. Zachow, Reg. No. 46,332

Signature

Date

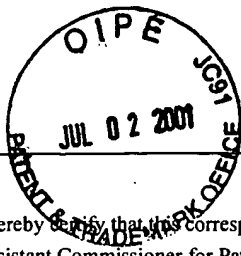
June 28, 2001

**CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on June 28, 2001.

  
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Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.



PATENT  
Docket No. 377882000800

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

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*Aurelia Caparas*  
Aurelia Caparas

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Gary VAN NEST et al.

Serial No.: 09/642,492

Filing Date: August 18, 2000

For: METHODS OF MODULATING AN  
IMMUNE RESPONSE USING  
IMMUNOSTIMULATORY SEQUENCES  
AND COMPOSITIONS FOR USE THEREIN

Examiner: To Be Assigned

Group Art Unit: 1653

COMMUNICATION

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

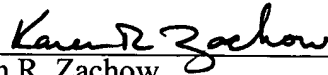
The enclosed documents are to correct the State of Incorporation from a California corporation to a Delaware corporation. Please replace the Joint Assignment, Power Of Attorney, and the Certificate Under 37 C.F.R., previously submitted with the Missing Parts that was mailed on March 5, 2001.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 377882000800. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: June 28, 2001

By:

  
Karen R. Zachow  
Registration No. 46,332

Morrison & Foerster LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018  
Telephone: (650) 813-5895  
Facsimile: (650) 494-0792

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PTO/SB/96 (10-92)

**CERTIFICATE UNDER 37 C.F.R. § 3.73(b)**

Docket No. 377882000800

In the application of

Gary VAN NEST et al.

Serial No.:

09/642,492

Filed:

August 18, 2000

For

JUL 02 2001

METHODS OF MODULATING AN IMMUNE RESPONSE USING

IMMUNOSTIMULATORY SEQUENCES AND COMPOSITIONS FOR USE THEREIN

Dynavax Technologies Corporation, a corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From :

To:

The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

2. From :

To:

The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

3. From :

To:

The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

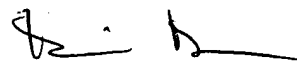
☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: June 18, 01



Name: Dino Dina

Title: President and Chief Executive Officer

**COPY****ASSIGNMENT  
JOINT**

THIS ASSIGNMENT, by Gary VAN NEST, Stephen TUCK, and Joseph EIDEN, Jr. (hereinafter referred to as the assignors), residing at 639 Skyline Dr., Martinez California 94553, 1742 Woodhaven Way, Oakland, California 94611 and 115 Shadewell Dr., Danville, California 94506, respectively, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in METHODS OF MODULATING AN IMMUNE RESPONSE USING IMMUNOSTIMULATORY SEQUENCES AND COMPOSITIONS FOR USE THEREIN, set forth in an application for Letters Patent of the United States, bearing Serial No. 09/642,492 and filed on August 18, 2000; and

WHEREAS, Dynavax Technologies Corporation, a corporation duly organized under and pursuant to the laws of Delaware and having its principal place of business at 717 Potter Street, Suite 100, Berkeley, California 94710 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

June 6, 2001  
Date

Gary VAN NEST  
Gary VAN NEST

05 June 2001  
Date

Stephen TUCK  
Stephen TUCK

10 June 2001  
Date

Joseph EIDEN, Jr.  
Joseph EIDEN, Jr.